

1 HONORABLE RICHARD A. JONES
2
3
4
5
6

7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 ROBERT L. KING,
11 v.
12 JC MILLER, et al.,
13 Defendants.

14 No. 2:20-cv-01386-RAJ

15 DISMISSAL ORDER

16 This matter comes before the Court sua sponte on Plaintiff Robert L. King's
17 Complaint against various prison officials of the Coyote Ridge Correction Center. Dkt. #
18 1-1. Plaintiff states that he was transferred to Coyote Ridge Corrections Center in or
19 around February 2018. *Id.* at 6. He claims that the prison is racially segregated and that
20 threats of violence are used to ensure this policy. *Id.* He alleges that prison officials and
21 staff are aware of the racism but have "done nothing to stop it." *Id.* Plaintiff alleges that
22 he has been "segregated and discriminated from Coyote Ridge Correction Center
23 recreational yard." *Id.*

24 Plaintiff fails, however, to allege any facts sufficient to support his conclusory
25 allegation that he has been "segregated and discriminated" against. *Id.* Pursuant to 28
U.S.C. § 1915A(b)(1), a Court must dismiss a complaint if it "is frivolous, malicious, or
26 fails to state a claim upon which relief may be granted." A complaint fails to state a
27 claim upon which relief may be granted if a plaintiff fails to allege the "grounds" of his
28

ORDER – 1

1 “entitlement to relief.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 127 S.Ct. 1955,
2 1964–65, 167 L.Ed.2d 929 (2007) (quotation omitted). Rule 8(a)(2) requires a complaint
3 to “contain sufficient factual matter, accepted as true, to state a claim to relief that is
4 plausible on its face.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (internal quotation marks
5 omitted). A complaint will not “suffice if it tenders naked assertions devoid of further
6 factual enhancement.” *Id.*

7 Plaintiff claims that “violence is often used to enforce segregation” or “the threat
8 of violence is used to ensure [this] policy,” but his complaint is devoid of any discussion
9 of specific incidents of violence or actual threats made. Dkt. # 1-1 at 6. He asserts that
10 he has been racially discriminated against but again fails to provide factual basis
11 supporting this conclusory allegation. In the absence of such factual pleadings, these
12 allegations are insufficient. The Court thereby dismisses this complaint without prejudice
13 pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be
14 granted.

15
16 DATED this 12th day of January, 2021.
17

18
19
20 
21

22 The Honorable Richard A. Jones
23 United States District Judge
24
25
26
27
28